

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 11:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Senior Deputy Clerk.

**F036087      Darlene A. v. Sup. Ct. Tuolumne; Dept. of Soc. Serv.**

Cause called and argued by Darlene A., petitioner in propria persona. Gregory J. Oliver, Esq., Deputy County Counsel, counsel for real party waived oral argument.

Cause ordered submitted.

**F036088      Darlene A. v. Sup. Ct. Tuolumne; Dept. of Soc. Serv.**

Cause called and argued by Darlene A., petitioner in propria persona. Gregory J. Oliver, Esq., Deputy County Counsel, counsel for real party waived oral argument.

Cause ordered submitted.

The court adjourns.

**F036281      In re the Marriage of Robert L. and Romemica Darnall**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 10(c), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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**F032927      People v. Blissett**

The judgment is affirmed with modifications. Vartabedian, Acting P.J.

We concur: Thaxter, J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032270      Basulto, et al. v. Hovannisian, et al.**

The judgment is affirmed. Vartabedian, Acting P.J.

We concur: Harris, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F033671      Gizowski v. Snyder, et al.**

The judgment is affirmed. Levy, J.

We concur: Harris, Acting P.J., Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F036250      Susan I. v. Superior Court, Tulare County; Tulare County Health and Human Services Agency**

Pursuant to this court's order of September 18, 2000, and failure of any party to request oral argument, the oral argument set for October 12, 2000, at 11 a.m. in the above entitled action is vacated.

**F035210      In re Valerie K., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F026062      People v. Williams et al.**  
**F031285      In re Kenneth Glenn Williams on Habeas Corpus**  
**F032206      In re Crystal Lee Furness on Habeas Corpus**

As to appellant Crystal Lee Furness, the judgment is affirmed and the petition for writ of habeas corpus is denied. As to appellant Kenneth Glenn Williams, the judgment of conviction on count 2 is affirmed and the petition for writ of habeas corpus is denied; the judgment of conviction on count 1 and Williams's sentence on counts 1 and 2 are reversed. Within 30 days from the date this opinion becomes final, respondent shall notify the trial court whether it will retry Williams for second degree murder or acquiesce in reduction of his conviction on count 1 to involuntary manslaughter as a lesser included offense. In the latter event, the court shall set the matter for resentencing on both counts. In the event of a retrial, the court shall sentence Williams at the conclusion of the proceedings. Vartabedian, Acting P.J.

We concur: Thaxter, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034082      People v. Calhoon**

The judgment is affirmed. Wiseman, J.

We concur: Harris, Acting P.J., Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032764      People v. Villa**  
**F032801      People v. Villa**

Appellant's petition for rehearing filed herein is denied.

**F033917      People v. Martinez**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034965      In re David S., Jr., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F036101      Earline R. v. Superior Court Kern County; Kern County Department of Human Services**

IT IS HEREBY ORDERED that the petition in the above-entitled action is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F036206      Suzanne G. v. Superior Court, County of Stanislaus; Stanislaus Co. Community Services Agency**

The Petition for Extraordinary Writ is denied

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031383      Cabrera v. Wal-Mart Stores, Inc.**

The judgment is affirmed. Costs on appeal are awarded to plaintiff. Levy , J.

We concur: Thaxter, Acting P.J., Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]